

Arnold B. Calmann  
(ACalmann@saiber.com)  
Katherine A. Escanlar  
(KEscanlar@saiber.com)  
**SAIBER LLC**  
One Gateway Center, Suite 1000  
Newark, New Jersey 07102  
Telephone: (973) 622-3333

Michael B. Levin (mlevin@wsgr.com)  
Jamie Y. Otto (jotto@wsgr.com)  
**WILSON SONSINI GOODRICH & ROSATI**  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300

Natalie J. Morgan (nmorgan@wsgr.com)  
**WILSON SONSINI GOODRICH & ROSATI**  
12235 El Camino Real  
San Diego, California 92130  
Telephone: (858) 350-2300

*Attorneys for Defendants GAIN Capital  
Holdings, Inc. and GAIN Capital Group,  
LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

OANDA CORPORATION,  
Plaintiff,

v.

GAIN CAPITAL HOLDINGS, INC., and  
GAIN CAPITAL GROUP, LLC,  
Defendants.

Civil Action No. 20-05784-BRM-  
DEA

**DECLARATION OF NATALIE J.  
MORGAN IN SUPPORT OF  
DEFENDANTS' REPLY BRIEF IN  
SUPPORT OF MOTION TO STAY  
PENDING COVERED BUSINESS  
METHOD REVIEWS**

*Document Filed  
Electronically*

I, Natalie J. Morgan, declare as follows:

1. I am an attorney at Wilson Sonsini Goodrich & Rosati P.C. and am counsel for Defendants GAIN Capital Holdings, Inc. and GAIN Capital Group, LLC ("Defendants"). I make this Declaration based on my personal knowledge

and in support of Defendants' Reply Brief in Support of Motion to Stay Pending Covered Business Method Reviews.

2. Attached as **Exhibit A** is a true and correct copy of a webpage titled, *Trial Statistics Archive, USPTO.gov*, which can be accessed at:

<https://www.uspto.gov/patents-application-process/patent-trial-and-appeal-board/statistics/aia-trial-statistics-archive>.

3. Attached as **Exhibit B** is a true and correct copy of a document titled, "Trial Statistics IPR, PGR, CBM: Patent Trial and Appeal Board September 2020," *USPTO.gov*, which can be accessed at:

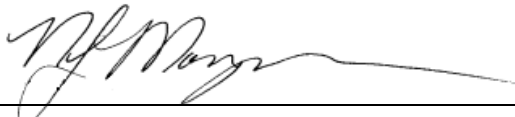
[https://www.uspto.gov/sites/default/files/documents/trial\\_statistics\\_20200930.pdf](https://www.uspto.gov/sites/default/files/documents/trial_statistics_20200930.pdf).

4. Attached as **Exhibit C** is a true and correct copy of a printout from Lex Machina, which shows the case list for CBM PTAB trials filed between January 1, 2012 and September 15, 2020. The printout can be accessed at:

[https://law.lexmachina.com/ptab/?trial\\_types-include=205&filing\\_date-from=2011-01-02&filing\\_date-to=2020-09-16&filters=true&tab=trial\\_resolutions&view=analytics&cols=9243](https://law.lexmachina.com/ptab/?trial_types-include=205&filing_date-from=2011-01-02&filing_date-to=2020-09-16&filters=true&tab=trial_resolutions&view=analytics&cols=9243).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 12th day of October 2020.



---

Natalie J. Morgan